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JAMES BONINI  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

04 APR 30 PM 2:17

OLLEN G. COLBERT

Plaintiff

v.

CINCINNATI GAS & ELECTRIC and  
INTERNATIONAL BROTHERHOOD  
OF ELECTRICAL WORKERS,  
LOCAL 1347

Defendants.

CASE NO. C-1-00-909

JUDGE: J. Dlott

Magistrate Judge Hogan

(proposed order  
attached)

**UNOPPOSED MOTION TO EXTEND DEADLINES TO FILE DEFENDANT'S  
EXPERT REPORT, DISCOVERY CUTOFF  
AND DISPOSTIVE MOTIONS**

Comes now, Defendant, The Cincinnati Gas & Electric Company ("CG&E"), by counsel, and respectfully requests the Court to grant CG&E's Unopposed Motion to Extend Deadlines to File Expert Report, the discovery cutoff and Dispositive Motions. In support thereof, CG&E would show the Court as follows:

1. Per the Court's Entry of February 3, 2004, the Plaintiff's Expert Report was due February 27, 2004 and CG&E's Expert Report was due on March 31, 2004.
2. Plaintiff submitted his Expert Report on February 27, 2004.
3. The Court granted the CG&E's additional time to file Expert Reports up to and including April 30, 2004.
4. Defendant CG&E requires an additional extension of time up to June 1, 2004 in which to file Expert Reports, and Plaintiff has no objection.

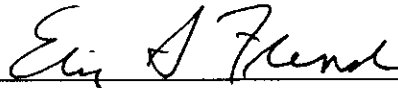
5. However, the Discovery Deadline and Dispositive Motion Deadline must be adjusted as well. The parties propose the following schedule:

|                |                              |
|----------------|------------------------------|
| June 1, 2004   | Defendants' Expert Reports   |
| July 1, 2004   | Discovery Cutoff             |
| August 1, 2004 | Dispositive Motion Deadline. |

6. Plaintiff's counsel agrees with the proposed schedule contained herein, and this minor adjustment in the Court's February 3, 2004 Order is not designed to cause any undue delay or prejudice to the parties or the Court.

WHEREFORE, Defendant, CG&E, by counsel, respectfully prays for an Order granting the CG&E's Motion and accepting the proposed schedule for filing of Defendants' Expert Reports, Discovery Cutoff and Dispositive Motions contained herein, and for all other relief just and proper in these premises.

Respectfully submitted,



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Eric S. French, #071711  
Julie L. Ezell, #0073128

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Unopposed Motion to Extend Time to File Defendant's Expert Report was electronically filed this 30th day of April, 2004, and will therefore be electronically mailed to:

Rose Ann Fleming [fleming@xavier.edu](mailto:fleming@xavier.edu), Attorney for Plaintiff

Jerry A. Spicer [snrakspi@aol.com](mailto:snrakspi@aol.com), Attorney for Defendant,

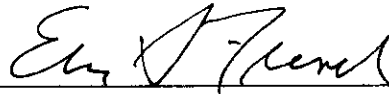
International Brotherhood of Electrical Workers, Local 1347

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